

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

March 11, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.: 05od-216

OAHU

Sale of Remnant to HPL CO., LLC, Honolulu, Oahu, Tax Map Key: (1) 1-7-032:002 and Portion of Former Waipa Lane.

APPLICANT:

HPL CO., LLC, a domestic limited liability company.

LEGAL REFERENCE:

Section 171-52, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Honolulu, Oahu, identified by Tax Map Key: (1) 1-7-032:002 and a portion of former Waipa Lane, as shown on the attached map labeled Exhibit A1 and A2.

AREA:

(1) 1-7-032:002: 16 square feet;
Portion of former Waipa Lane: 1,000 square feet; more or less, to be determined by the Department of Accounting and General Services, Survey Division.

ZONING:

State Land Use District: Urban
City and County of Honolulu LUO: R-5

TRUST LAND STATUS:

Section 5(a) [parcel 2] and Section 5(b) [portion of Waipa Lane] lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Vacant and unencumbered.

CONSIDERATION:

One-time lump sum payment of fair market value to be determined by independent or staff appraiser, subject to review and approval by the Chairperson.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

Not applicable. Subject lands are to be conveyed to abutting landowner(s) and will become privately owned land at that point.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>x</u>	NO <u> </u>
Registered business name confirmed:	YES <u>x</u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u>x</u>	NO <u> </u>

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Pay for an appraisal to determine the one-time payment of fair market value for the remnant;
- 2) Consolidate the remnant with the Applicant's abutting property through the County subdivision process; and
- 3) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost.

REMARKS:

Pursuant to section 171-52, HRS, a remnant is defined as "a parcel of land economically or physically unsuitable or undesirable for development or utilization as a separate unit by reason of location, size, shape, or other characteristics." The subject parcel has been determined to be a remnant by this definition for the following reasons:

The subject area consists of parcel 2 (16 square feet) which was a portion of the property acquired for the road improvement. Upon completion of the improvement, 16 square feet remains in the State land inventory.

The other portion of the subject area once was a portion of the former Waipa Lane, which has become abandoned. The current Waipa Lane is further southwest to the subject area as shown on Exhibit A2. Exact area of this portion of the former Waipa Lane needs to be determined upon the approval of today's request.

Due to the size and configuration of the subject area, it cannot be considered as a separate unit and can be developed on its own. Therefore, staff recommends the Board declare the subject area as a remnant.

Applicant is the owner of parcel (1) 1-7-032:001 as staff has confirmed by county real property tax office website.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

State Historic Preservation Division, Department of Transportation, Highways Division, Board of Water Supply do not have any objection/comment to the request. Office of Hawaiian Affairs does not have objection provided the subject remnant is appraised as full market value. Department of Planning and Permitting and Department of Budget & Fiscal have not responded as of the suspense date.

Department of Design and Construction have no objection, provided the City's sewer line and manhole are retained. Department of Facility Maintenance commented that sufficient width should be retained for pedestrian use as a sidewalk. Staff responds that the City's requests can be accomplished in the map preparation process.

RECOMMENDATION:

That the Board:

1. Find that the subject lands are economically or physically unsuitable or undesirable for development or utilization as a separate unit by reason of location, size, shape, or other characteristics and, therefore, by definition is a remnant pursuant to Chapter 171, HRS.
2. Authorize the subject requests to be applicable in the event of a change in the ownership of the abutting parcel described as Tax Map Key: (1) 1-7-032:001, provided the succeeding owner has not had a lease, permit, easement or other disposition of State lands terminated within the last five (5) years due to non-compliance with such terms and conditions.

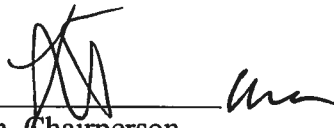
3. Authorize the subdivision and consolidation of the subject remnant by the Applicant.
4. Subject to the Applicant fulfilling all of the Applicant Requirements listed above, authorize the sale of the subject remnant to HPL CO., LLC covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current deed or grant (remnant) form, as may be amended from time to time;
 - b. Review and approval by the Department of the Attorney General; and
 - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

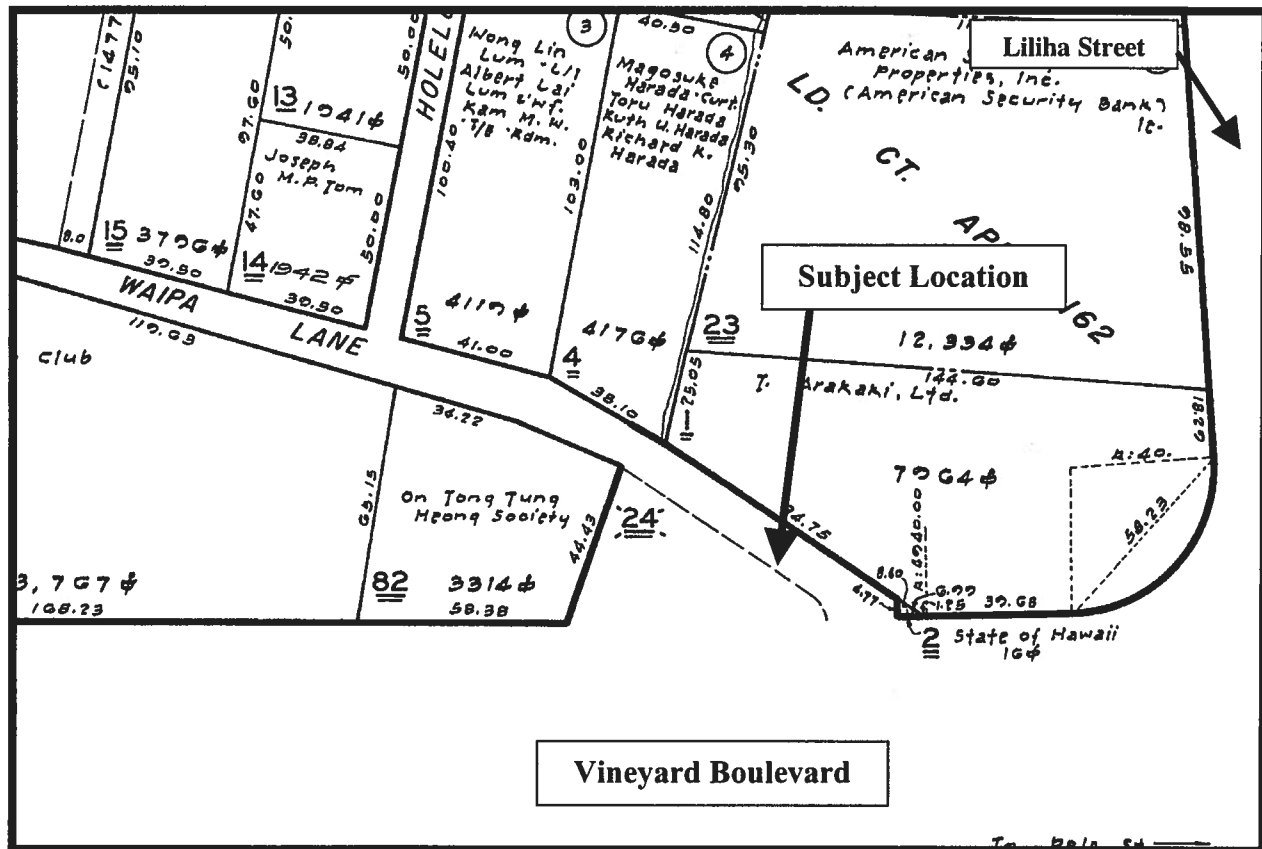


Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



TMK (1) 1-7-032

EXHIBIT A1



Address: 1408 Libro Street, Honolulu

GIL SURVEYING SERVICES, INC.
114 STREET HENRI, 100, LAVAL, QUEBEC

EXHIBIT "A2"